

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 IO-13 ACDA-12 OES-07 DLOS-09 AGRE-00 EB-08
TRSE-00 /108 W
-----085304 201857Z /47

P R 201817Z JAN 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC PRIORITY 5048
AMEMBASSY BRUSSELS PRIORITY
INFO AMEMBASSY BERLIN
AMEMBASSY COPENHAGEN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USBERLIN
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 BONN 01194

USEEC

E.O. 11652: GDS
TAGS: PGOV, BQG, EEC
SUBJECT: EC FISHERIES MINISTERS MEETINGIN BERLIN

REFS: (A) BRUSSELS 01141 (NOTAL)
(B) 77 BONN 09638 (NOTAL)

BEGIN SUMMARY: WE AGREE WITH USEC THAT THE "MEETING"
OF EC AGRICULTURAL MINISTERS IN BERLIN MAY EVOKE A
SOVIET PROTEST. THEY HAVE ATTENDED THE GREEN WEEK
REGULARLY IN THE PAST, WITHOUT SOVIET PROTESTS, BUT
THE INTENSIFIED SOVIET INTEREST IN EC MEETINGS IN
BERLIN AND THE EC/SOVIET DIFFERENCES OVER THE FISHERIES
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AGREEMENT MAY CAUSE SOVIETS NOT TO FOREGO THIS OPPORTUNITY.
THE UK BONN GROUP REP WAS UNDER INSTRUCTIONS TO TAKE
UP THE QUESTION OF THE INVITATION PROCEDURE WITH THE
FRG BUT THE FCO HAS NOW FOUND THAT THE ACTING BERLIN
MAYOR SENT AN INVITATION TO SILKIN SO NO UK DEMARCHE
WILL BE MADE. IN THE LIGHT OF THIS SENAT
INVITATION, WE SHOULD BE ON STRONG GROUND TO ANSWER

ANY SOVIET PROTEST. END SUMMARY

1. WE APPRECIATE USEC'S REPORT (REF A) AND AGREE THAT WE MAY WELL HAVE A SOVIET PROTEST OVER THE FACT THAT THE EC AGRICULTURAL MINISTERS ARE REPORTED TO PLAN TO MEET THERE. ALTHOUGH EC AGRICULTURAL MINISTERS HAVE REGULARLY ATTENDED THE GREEN WEEK IN THE PAST AND HAVE PROBABLY HAD CONSULTATIONS WHILE THERE, THE SOVIETS HAVE NOT PROTESTED THIS FACT. HOWEVER, THE NEW SOVIET ATTENTION TO EC ACTIVITIES IN BERLIN MAKES IT MORE LIKELY THAT THEY WILL NOT LET THIS OPPORTUNITY PASS.

2. THE SUBJECT WAS DISCUSSED BY THE BONN GROUP ON JANUARY 18 (SEPTTEL) AND WAS CONSIDERED TRIPARTITELY BY THE ALLIED BONN GROUP REPS ON JANUARY 19. THE UK REP (EYERS) DISTRIBUTED A COPY OF A LETTER, SIGNED ON BEHALF OF FRG AGRICULTURE MINISTER ERTL, WHICH HAD BEEN SENT TO THE SPOKESMEN OF THE EIGHT EC DELEGATIONS IN BRUSSELS INVITING THEM TO ATTEND THE GREEN WEEK "AS GUESTS OF THE FRG." THE LETTER STATED THAT A HOTEL ROOM HAD BEEN RESERVED AND THAT THE AIR TICKET WOULD BE SENT BY THE PERMANENT REPRESENTATION OF THE FRG.

3. THERE WAS SOME DISCUSSION AT THE TRIPARTITE MEETING
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AS TO WHETHER THIS CONSTITUTED AN "INVITATION" UNDER THE TERMS OF ANNEX IV OF THE QA. IF SO, AN INVITATION BY THE SENAT WOULD APPEAR TO BE REQUIRED. OUR VIEW IS THAT IT DOES NOT SINCE THE INVITATION IS FOR THE RECIPIENT TO BE AN OBSERVER AT, NOT A PARTICIPANT IN, THE GREEN WEEK. HOWEVER, EYERS DISCUSSED THE QUESTION WITH THE FCO AND WAS INSTRUCTED TO INFORM THE FRG BONN GROUP REP THAT LONDON'S INTEREST HAD BEEN RAISED BY THE INVITATION TO THE PRESS SPOKESMEN AND TO SAY THAT THE INVITATION, WHILE NOT IMPROPER AS FAR AS THE QA IS CONCERNED, IS LESS THAN TACTFUL TOWARD THE INVITED ALLIES (FRENCH AND BRITISH) SINCE THEY NEED NO INVITATION TO GO TO BERLIN. (COMMENT: THIS IS A POINT THE FRENCH HAVE MADE WITH REGULARITY, EVEN WHEN A SENAT INVITATION IS INVOLVED, BUT WE DO NOT RECALL THE BRITISH HAVING PICKED IT UP BEFORE.)

4. EYERS WAS INSTRUCTED TO GO ON TO NOTE THAT IN ADDITION TO ATTENDING THE GREEN WEEK, THE AGRICULTURAL MINISTERS WOULD HAVE A "MEETING" IN BERLIN. (COMMENT: AS REPORTED SEPTTEL, THE FOREIGN OFFICE SAYS THE INFORMAL CONSULTATIONS WILL NOT HAVE THE STATUS OF A "MEETING.")

HE WOULD THEN ASK WHETHER FRG INVITATIONS WERE ISSUED
TO THE AGRICULTURAL MINISTERS ALSO. IF SO, THEN INVI-
TATIONS SHOULD ALSO BE SENT BY THE SENAT. EVEN IF

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 01194

USEEC

INVITATIONS WERE NOT SENT BY THE FRG, EYERS WAS
INSTRUCTED TO GO ON TO RAISE THE QUESTION WHETHER THE
SENAT SHOULD NOT NONETHELESS SEND ONE. THE FCO
INSTRUCTIONS HAVE NOW BEEN OVERTAKEN BY EVENTS SINCE
LONDON HAS LEARNED THAT BERLIN'S ACTING MAYOR SENT AN
INVITATION TO UK AGRICULTURE MINISTER SILKIN (WE DO
NOT KNOW WHETHER THE FRG SENT ONE) AND THIS PRESUMABLY
SATISFIES ANY REQUIREMENTS THE QA MIGHT IMPOSE. WE
HAVE NOT SEEN THE INVITATION BUT WILL SEEK TO OBTAIN
ONE.

5. COMMENT: THE FOREGOING REFLECTS AN AMBIGUITY IN THE
QA WHICH THE BONN GROUP HAS DISCUSSED IN THE PAST BUT
ON WHICH NO CONSENSUS HAS BEEN REACHED, I.E. WHETHER THE

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SENTENCE IN ANNEX IV, "INVITATIONS WILL BE ISSUED BY THE SENAT OR JOINTLY BY THE FEDERAL REPUBLIC OF GERMANY AND THE SENAT," MEANS THAT INVITATIONS MUST BE ISSUED IN ORDER FOR INTERNATIONAL MEETINGS AND EXHIBITIONS TO BE LEGAL, OR WHETHER IT MERELY MEANS THAT IF THE FRG ISSUES AN INVITATION THEN THE SENAT MUST DO SO ALSO. NO CONSENSUS HAS BEEN REACHED ON THIS ISSUE IN THE BONN GROUP, HOWEVER, AND THE FRG HAS IN THE PAST STRONGLY ARGUED THAT THE LATTER OF THE TWO FOREGOING INTERPRETATIONS IS THE CORRECT ONE.

6. MAYOR STOBBE HAS TAKEN A PRAGMATIC VIEW OF THE INVITATIONS PROCEDURE AND HAS APPARENTLY LEANED TOWARD ISSUING THE SENAT INVITATION IN ORDER TO AVOID DIFFICULTIES WITH THE SOVIETS AND EAST EUROPEANS (REF B). IN ANY CASE, THE SENAT'S HAVING DONE SO IN THE PRESENT CASE PUTS THE ALLIES IN A GOOD POSITION TO ANSWER SHOULD THE SOVIETS PROTEST THAT THE MINISTERS' MEETING IS A VIOLATION OF THE QA.
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